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April 16, 2002

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Commissioner for Patents
Washington, D.C. 20231

Art Unit 1636

Re: U.S. Utility Patent Application
Appl. No. 09/732,914; Filed: December 11, 2000
For: **Use of Multiple Recombination Sites with Unique Specificity in
Recombinational Cloning**
Inventors: **Cheo *et al.***
Our Ref: **0942.5010002/RWE/BJD/B-C**

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
April 16, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono", with a stylized flourish at the end.

Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

BJD/B-C:law
Enclosures

401.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Cheo, *et al.*

Appl. No. 09/732,914

Filed: December 11, 2000

For: **Use of Multiple Recombination
Sites with Unique Specificity in
Recombinational Cloning**

Confirmation number 2341

Art Unit: 1636

Examiner: Ketter, James S.

Atty. Docket: 0942.5010002/RWE/BJD/B-C

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Reply To Restriction Requirement

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Commissioner for Patents
Washington, D.C. 20231

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Sir:

In reply to the Office Action dated **March 18, 2002**, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, represented by claims 1-8, 11-19, 21-54, 56-60, 62-73, 76-100, and 103-123. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made **with** traverse. MPEP § 803 indicates that restriction is not proper when the entire application can be searched and examined on the merits without serious burden on the examiner. In the present application, search and examination of the invention of Group I will encompass the inventions of the other groups; thus, there will be no additional burden on the examiner to examine the remaining groups. Accordingly, reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are

necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: April 16, 2002

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